



ARIZONA STATE SENATE
Fifty-Fifth Legislature, First Regular Session

AMENDED
FACT SHEET FOR S.C.R. 1003

executive orders; emergencies; reauthorization; termination

Purpose

Subject to voter approval, constitutionally terminates a state of emergency proclaimed by the Governor after 30 days, unless extended by Concurrent Resolution of the Legislature. Requires the Governor to call a special session of the Legislature within 10 days of proclaiming a state of emergency.

Background

The Governor may declare a state of emergency if the Governor finds conditions of disaster or extreme peril to the safety of persons or property within the state caused by air pollution, fire, flood, epidemic, riot, earthquake or other causes that are likely to be beyond the control of any single county or municipality ([A.R.S. § 26-301](#)). During a state of emergency, the Governor has complete authority over all agencies of the state government and the right to exercise all police power vested in the state by the Constitution. Additionally, the Governor may direct all agencies to utilize and employ personnel, equipment and facilities for the performance of activities designed to prevent or alleviate actual or threatened damage due to the emergency. The Governor's state of emergency powers end when the state of emergency proclamation has been terminated by proclamation of the Governor or Concurrent Resolution of the Legislature ([A.R.S. § 26-303](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Terminates a state of emergency proclaimed by the Governor and any emergency powers granted to the Governor during a state of emergency 30 days after the proclamation, unless extended by Concurrent Resolution of the Legislature.
2. Requires the Governor, within 10 days after proclaiming a state of emergency, to call a special session to assemble the Legislature to determine whether to extend the state of emergency and the Governor's emergency powers, unless the state of emergency is terminated sooner by Governor's proclamation or Concurrent Resolution of the Legislature.
3. Prohibits the Legislature from extending a Governor's state of emergency proclamation for more than a 30-day period.
4. Allows the Legislature to extend a Governor's state of emergency proclamation as many times as necessary.

5. Prohibits the Governor, if a state of emergency terminates without a legislative extension, from proclaiming a new state of emergency arising out of the same conditions as the terminated state of emergency proclamation.
6. Authorizes, constitutionally, the Governor to proclaim a state of emergency as statutorily outlined.
7. Makes technical and conforming changes.
8. Requires the Secretary of State to submit the proposition to the voters at the next general election.
9. Becomes effective if approved by the voters and on proclamation of the Governor.

Amendments Adopted by the Government Committee

- Terminates a state of emergency proclaimed by the Governor and any emergency powers granted to the Governor during a state of emergency after 30 days, rather than 14 days, unless extended by the Governor.

Senate Action

GOV 1/25/21 DPA 5-3-0

Prepared by Senate Research

January 26, 2021

MH/gs